

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MINUTES OF PROCEEDINGS

Scheduled: 1:30 PM
Started: 1:50 PM
Ended: 2:35 PM

HONORABLE AIDA M. DELGADO-COLON, U.S. DISTRICT JUDGE

COURTROOM DEPUTY: Sarah V. Ramón

DATE: August 8, 2019

COURT REPORTER: Amy Walker

CASE: CR. 18-0413 (ADC)

ATTORNEYS:

UNITED STATES OF AMERICA

AUSA Kelly Zenon-Matos
AUSA Vanessa Bonhomme

VS.

1 Tomas Junior Sanchez-Gonzalez

Ricardo Izurieta-Ortega (excused)
Wilfredo Díaz-Narvaez

2 Johanny M. Feliciano-Gonzalez

Francisco M. Dolz-Sanchez (excused)
Ruben Cerezo-Hernandez
José L. Novas-Debien,

4 Felix A. Perrocier-Garcia

Edwin Prado-Galarza

5 Daniel Salaman-Rodriguez

Rafael Castro

6 Rosali Maldonado-Barreto

Olga Shepard, substituted by Luz Ríos

7 Walkiria Grullon-Rodriguez

Thomas R. Lincoln-San-Juan

8 Dianna Gonzalez-Agosto

Claudia M. Izurieta, not present

9 Hector William Rabsatt

Ignacio Fernandez, substituted by Juan Matos

10 Edgardo R. Garcia-Santos

Raúl Mariani (substituted by Miguel Oppenheimer)
Mariangela Tirado

12 Anibal Rosado-Sanchez

Ramon L. Garay

13 Bryan S. Hernandez-Valcarcel

Ramon M Gonzalez-Santiago

14 Maria C. Carmona-Lozada

Jason González

15 Gabriel Figueroa-Pagan

Carlos M. Sanchez-La-Costa

16 Juan G. Rodriguez-Tosado

Juan E. Alvarez-Cobián, present and excused

17 Steven A. Pagan-Rondon

Lydia Lizarribar-Masini

18 Orlando M. Torres-Bermudez

Juan A. Albino-Gonzalez

20 Jose R. Matos-Ortiz

21 Omar Quinones-Rivera

22 Luis A. Oquendo-Maldonado	Luis A. Guzman
23 John M. Rentas-Rivera	Jose Aguayo
24 Luis Daniel Soto	
25 Ruben Rivera-Chevere	Maribel Flores-Fonseca (not present)
26 Luis N. Santiago-Medina	Juan Matos de Juan
28 Eduardo Lacodet-Leon	Raymond Rivera-Esteves
29 Exel O. Santiago	Miguel Oppenheimer
30 Edgardo Martinez-Encarnacion	Johnny Rivera-Gonzalez
32 Suhali Salaman	Rafael Anglada-Lopez
33 Jennifer Santiago-Cabrera	Antonio Bauzá
34 Eliud Acosta-Rivera	Ismael Rodriguez-Izquierdo
35 Mario J. Caban-Leon	Edgar Sánchez
36 Noris Gautier-Rios	Antonio Bisbal
37 Domingo Castellanos-Pagan	Jose C. Romo-Matienzo
38 Kevin Roman-Bonilla	Manuel L. Morales-Schmidt
39 Christian M. Santiago-Chittenden	Irma Valdejuli,
41 Bryan J. Rivera-Conde	Javier A. Morales, substituted by José Romo
42 Emmanuel Perrocier-Vazquez	Raymond L. Sanchez-Maceira
43 Kenneth L. Carrasquillo-Marrero	Maricarmen Almodovar, substituted by Mariangela Tirado
44 Edgardo Castellano-Rivera	Ernesto Hernandez-Milan (excused)
45 Jean Paul Castellano-Rivera	Humberto Guzman-Rodriguez
46 Carlos J. Melendez-Fernandez	Kendys Pimentel, substituted by Marie Cortés
47 Carlos Melendez-Marrero	David Ramos-Pagan
49 Jonathan Gonzalez-Agosto	Diego H. Alcala-Laboy
50 Julio C. Rosado-Lacen	David J. Colon-Almenas
51 Hector A. Davila-Encarnacion	Joseph Boucher

52 Jose L. Sierra-Lopez	
53 Jaime J. Baez-Torres	Melanie Carrillo
55 George A. Touma-Abreu	Benito Rodríguez, substituted by Ruben Cerezo
57 Carmelo E. Rivera-Rivera	Guarionex Landrau (not present)
58 Joel Beltran-Rosario	
59 Josue O. Encarnacion-Torres	Julie A. Soderlund
62 Edgardo R. Lebron-Diaz	Luz M. Rios-Rosario
63 Jean C. Rivera-Castro	
64 Roberto C. Ayala-Cancel	Juan Carlos Deliz
66 Omar Martinez-Encarnacion	Ian C. Garcia
67 Luis O. Santiago-González	Artemio Rivera
68 Carlos J. Caneda-Osorio	Robert Millán
69 Jose Z. Ortiz-Pabon	Yassmin González-Velez
70 Angel D. Pimentel-Serrano	Lillian N. Miranda-Rodriguez (not present)
71 Carlos Valladares-Pagan	Giovanni Canino
72 Francisco Rosado-Besares	Marta T. Rey-Cacho
73 Antonio Rodriguez-Aguilar	Jose A. Suárez-Santa
74 Alexander Falcon-Gonzalez	Saul Roman-Santiago
75 Edwin Rodriguez-Torres	Juan Masini, substituted by Antonio Bisbal
77 Jose A. Arzola-Sanchez	Juan Nieves-Cassas
78 Jaime Rivera-Rosario	Emilio Morris-Rosa
79 Alex T. Gonzalez-Alcocer	Rosa Ivette Bonini-Laracuente
80 Leroy F. Perez-Rivera	
81 Juan N. Pagan-Encarnacion	Thomas Trebilcock-Horan
82 Yadiel A. Rosario-Fontanez	Hector J. Dauhajre
83 Rene R. Latony-Rosado	Jose Gatzambide, substituted by Johnny Rivera
84 Wendy Lee Torres	Miguel A. Rodriguez-Robles

85 Jose E. Reyes-Allende	Jose G. Perez-Ortiz
87 Felix L. Figueroa-Resto	
88 FNU LNU aka: Chapu	
90 Christian Rodriguez-Santos	Ovidio E. Zayas-Perez
91 Yadiel A. Malave-Lopez	Wilfredo Rios-Mendez
92 Sylkia Fernandez-Mitchell	Marie L. Cortes-Cortes
93 Tomas Gonzalez-Lopez	Miriam R. Ramos-Grateroles
94 Fernando Santiago-Chittenden	Luis A. Rodríguez-Muñoz
95 Zeuleimary Ramos-Santiago	Fernando Omar Zambrana-Aviles (excused)
96 Dereshley Fuertes-Feliciano	Ruben Cerezo-Hernandez
97 FNU LNU aka: Yaniel	

CASE CALLED FOR A FIFTH STATUS CONFERENCE:

Government informed the following:

- Plea negotiations remain ongoing.
- Encourages defense, if deemed necessary, to prepare mitigation packages for the Government's consideration to further enable plea negotiations.
- Motion to withdraw was filed by attorney Izurieta, who currently co-represents defendant Tomas Junior Sánchez. Therefore, requested the same be granted due to the conflict of interest of said counsel.
- Specific discovery requested by defense counsel José Romo, on behalf of his client Domingo Castellanos (37) was provided. Parties remain in plea negotiations, despite the filing of the dispositive motion. Should the Court schedule an evidentiary hearing, the Government will present 3-4 witnesses.
- As to defendant Félix L. Figueroa-Resto (87), initial was held earlier today. Therefore, only defendants 9, 24, 52, 58, 63, 80, 88, 97 remain fugitive.

In general defense attorneys informed they remain in ongoing plea negotiations, those with specific concerns or with specific discovery requests informed the following:

- Attorney Díaz-Narvaez, informed that a plea counter-offer was discussed earlier this morning with Government's counsel.¹
- Attorney Oppenheimer informed, on behalf of attorney Mariani, that plea negotiations remain ongoing, and by next week will be submitting a mitigation package for the Government's consideration.
- Attorneys for defendants currently housed in Bayamón 705 requested that in order to afford review of discovery that defendants be transferred to MDC for at least 3 months.
- Attorney Lincoln informed he is close to reaching a plea agreement for his client, requested to review the Pretrial Services Report.
- Attorney Lizarribar informed that defendant is also charged in CR. 18-0476-02 (ADC). Therefore, she is actively engaged in plea negotiations to dispose of both cases.
- Attorney Anglada informed that a plea agreement was reached as to his client, Suhail Salaman.
- Attorney Sánchez informed that individualized discovery was provided. Needs to meet with defendant to review the same.²
- Attorney Bisbal informed he is in plea negotiations and will submit a mitigation package.
- Attorney Colón-Almenas, requested 2 weeks to continue in plea negotiations. Needs to meet with the US Probation Officer to assess defendant's criminal history category to conclude plea negotiations and file motion for change of plea.³
- Attorney González-Vélez informed she will submit a mitigation package to the Government.
- Attorney Rey clarified that her client's true name is Francisco Rosado-Gonzalez.⁴
- Sidebar Conference held with attorney Saúl Román and Government's counsel. Ex-Parte Motions filed were Granted. Counsel informed plea negotiations are ongoing.
- Attorney Miriam Ramos informed she filed Motion for Bill of Particulars and Government's response was filed as well. ECF Nos. 950 and 1002. Clarified that her client rejected the plea offer.⁵

¹ Government will respond within a week.

² Government will verify if DEA 6-Reports are available to disclose the same to counsel.

³ Government informed defendant has an extensive criminal history.

⁴ Court noted it so appears as defendant a/k/a in the indictment.

⁵ Government proffered there was no seizure and a proffer as to the testimonial evidence of 4 Government witnesses was provided to the defense.

After hearing the parties, the Court set the following hearing and deadlines:

- Plea Counter-Offers Deadline due by August 16, 2019.
- Government's revised plea offer due by August 23, 2019.
- All responses due by August 31, 2019.
- Plea Cut-Off Deadline due by September 13, 2019.
- US Marshals are ordered to make defendants Omar Quiñones-Rivera (21), Luis A. Oquendo-Maldonado (22), Luis O. Santiago-González (67), Jaime Rivera-Rosario (78).
- US Marshals are ordered to transfer defendants Daniel Salaman (5), Bryan S. Hernández(13) and Carlos J. Caneda-Osorio (68), currently housed at Bayamon 705 to MDC-Guaynabo for a period of 3 months to afford review of discovery.
- The Pretrial Services Report of Walkiria Grullón-Rodríguez (7), shall be made available to attorney Thomas Lincoln for review.
- Attorney Colon is to contact the US Probation Office and make an appointment for a criminal history assessment of his client Julio C. Rosado (50).
- Motion to withdraw, filed at ECF No. 1057 is Granted. Attorney Ricardo Izurieta is withdrawn from any further representation of defendant Tomas Junior Sanchez-Gonzalez. Defendant shall remain represented by attorney Wilfredo Diaz-Narvaez.
- A detailed scheduling order shall follow.

S/Sarah V. Ramón
Courtroom Deputy Clerk